



U.S. Department of Justice

United States Attorney  
Southern District of New York

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86 Chambers Street  
New York, New York 10007

September 9, 2024

**By ECF**

The Honorable Loretta A. Preska  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *Petersen Energia Inversora, S.A.U. v. Argentine Republic*,  
No. 15 Civ. 2739 (LAP)  
*Eton Park Capital Mgmt., L.P. v. Argentine Republic*,  
No. 16 Civ. 8569 (LAP)

Dear Judge Preska:

I write to inform the Court of the United States of America's potential participation in the above-captioned cases. These related cases have been brought by plaintiffs, shareholders of YPF S.A., against the Argentine Republic ("Argentina"), for breach of contract. ECF No. 366.<sup>1</sup> Plaintiffs have filed a motion for an injunction and turnover requesting that the Court order Argentina to turn over its 51% interest in YPF S.A., in partial satisfaction of the Court's judgment in these actions. ECF Nos. 555-556. Plaintiffs' motion for an injunction and turnover was fully briefed on July 8, 2024, ECF No. 598, and is currently *sub judice*.

The United States is actively considering whether to file a Statement of Interest with respect to the pending motion for an injunction and turnover. Pursuant to 28 U.S.C. § 517, the Attorney General of the United States is authorized to send any officer of the Department of Justice to "attend to the interests of the United States in a suit pending in a court of the United States, or in a court of a State, or to attend to any other interest of the United States." The process for deciding whether to file a Statement of Interest involves coordination among interested government agencies and the approval of the U.S. Department of Justice through the Principal Deputy Assistant Attorney General for the Civil Division. The United States expects that it will be in a position to inform the Court of its potential participation in this matter, and to file its Statement of Interest should it be authorized to do so, no later than November 6, 2024.

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<sup>1</sup> References to ECF entries refer to the docket in Case No. 15 Civ. 2739.

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The Government respectfully requests that the Court reserve decision on the pending motion for an injunction and turnover until the United States has had an opportunity to submit any such statement of interest.

I thank the Court for its consideration of this request.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: /s/ David Farber

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The Court reserves decision on the pending motion for an injunction and turnover, (dkt. nos. 555-56), to afford the Government adequate time to assess its potential interest in this matter. The Government shall submit any Statement of Interest no later than November 6, 2024.

SO ORDERED.

Date: 09/13/24

  
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LORETTA A. PRESKA, U.S.D.J.